

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TEXAS
EASTERN DIVISION**

IN RE:
James M Olson
Mary H. Olson

CASE NO: 21-60198

Chapter 7

Debtors.

RESPONSE TO MOTION TO SELL REAL PROPERTY

COMES NOW Bank of America, N.A. (“Creditor”), and in support hereof, states as follows:

1. Debtors filed a Motion to Sell Property located at 3744 HWY 367 S, Searcy, AR 72143-8746 (“Property”) on August 20, 2021 (“Motion”). *See* Dkt. #23.
2. The Motion states the total sales price under the contract to sell is \$69,900.00.
3. Creditor does not object to the Motion per se. However, Creditor wants the Order allowing the Sale of the Property to expressly state that the Creditor is not required to release its lien until the same has been paid in full.
4. Trustee has requested payoff figures good through September 17, 2021. In the event the closing is delayed, a new written payoff statement shall be obtained from Secured Creditor that will not have expired prior to closing.
5. Additionally, Creditor wants the Order to expressly grant it authority to communicate with the title company and escrow officer, to ensure the sales transaction is properly handled.
6. Lastly, Creditor requests that the Order state the date and time of the closing, to

avoid any ambiguity as to when it will take place.

WHEREFORE, Creditor prays the Court enter an Order allowing for the Sale of the Property, so long as it expressly states the items requested by the Creditor herein, alternatively Creditor requests the Court deny Debtor's Motion to Sell Property, and for all other relief Court deems appropriate.

Dated: September 8, 2021.

Respectfully submitted,
MARINOSCI LAW GROUP, P.C.

/s/ Sammy Hooda

Sammy Hooda, Esq.

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ATTORNEYS FOR MOVANT

CERTIFICATE OF SERVICE

I, *Sammy Hooda*, certify that a true and correct copy of the Response to Motion to Sell Property was served on the following parties in interest either via U.S. Mail or via CM/ECF on September 8, 2021.

VIA CM/ECF

Carol Cross Stone
Law Office of Carol Cross Stone
1118 Judson Road
Longview, TX 75601

Diane Carter
660 North Central Expressway
Ste. 101
Plano, TX 75074

U.S. Trustee (ust)
Office of the U.S. Trustee
110 N. College Ave.
Suite 300
Tyler, TX 75702

VIA U.S. Mail

Debtor

James M Olson
312 Flenniken St
Gladewater, TX 75647-5676

Mary H. Olson
312 Flenniken St
Gladewater, TX 75647-5676

/s/ Sammy Hooda
Sammy Hooda, Esq.